

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WALTER CALLIHAN)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2011-00351
)	
GRAYSON RURAL ELECTRIC COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

ORDER

Walter Callihan has filed with the Commission a formal complainant against Grayson Rural Electric Cooperative Corporation (“Grayson RECC”) in which he alleges, *inter alia*, that Grayson RECC unlawfully refuses to provide electric service. Grayson RECC has answered this Complaint and denied the allegations of unlawful refusal of service. Accordingly, the Commission, on its own motion, HEREBY ORDERS that:

1. A formal hearing in this matter shall be held on November 28, 2011, beginning at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission’s offices at 211 Sower Boulevard, Frankfort, Kentucky.
2. Preliminary motions in this matter will be heard at the start of the hearing and prior to the parties’ opening statements.
3. Each party to this proceeding may make an opening statement of not more than five minutes in length. This statement shall summarize the party’s position in this matter and describe the evidence that the party expects to present at hearing.

4. James Wood is designated as hearing examiner to conduct the scheduled hearing and to perform all actions necessary to ensure the orderly conduct of this hearing, to include administering oaths, receiving evidence, and ruling on motions and objections raised during this hearing.

5. Pursuant to KRS 278.360, the record of the formal hearing in this matter shall be by videotape.

6. Commission Staff shall make a written exhibit list and shall file this list with the Commission with all exhibits and a copy of the video transcript of the hearing.

7. On or before November 21, 2011, each party shall file with the Commission a list of the witnesses that it expects to call at the formal hearing and a summary of their expected testimony.

8. On or before November 4, 2011, a party may serve requests for information upon any opposing party. Within 14 days of service of a request, the party served with the request shall file with the Commission and serve on the requesting party its response.

9. Service of any document or pleading shall be made in accordance with 807 KAR 5:001, Section 3(7). Service shall be considered completed upon delivery of the document or pleading to the party or upon mailing the document or pleading to the party's address of record.

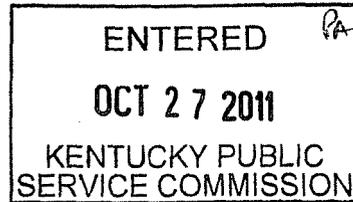
10. Any party filing a document or pleading with the Commission shall serve such document or pleading upon all other parties to this proceeding.

11. Any document or pleading that a party serves upon the other parties to this proceeding shall also be filed with the Commission.

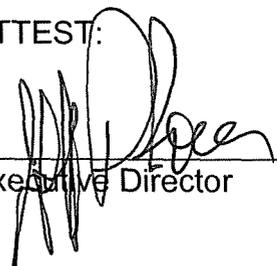
12. As the Complainant bears the burden of proof in this matter, his failure to appear at the formal hearing and to present proof in support of his complaint may result in the dismissal of his complaint with prejudice.

13. The failure of Defendant to appear at the formal hearing may result in the entry of an Order granting the Complainant's requested relief.

By the Commission



ATTEST:



Executive Director

Walter Callihan
P. O. Box 17
Argillite, KENTUCKY 41121

Carol Ann Fraley
President & CEO
Grayson R.E.C.C.
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